

# REQUEST FOR LEGAL SERVICES

**Date:** June 6, 2024  
**From:** Tasha Kama, Chair  
Housing and Land Use Committee

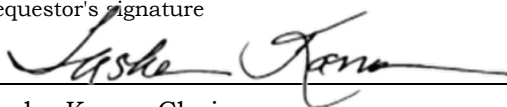
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Victoria Takayesu, Esq.

**Subject:** BILL 67 (2024) AND BILL 68 (2024), COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING (CONDITIONAL ZONING) FOR QUEEN KA'AHUMANU CENTER (KAHULUI) (HLU-28)

**Background Data:** Please see attached CD1 versions of Bills 67 and 68 incorporating amendments made by the Committee at its meeting of June 5, 2024. Please submit your response to [hlu.committee@mauicounty.us](mailto:hlu.committee@mauicounty.us) with a reference to HLU-28.

**Work Requested:**     FOR APPROVAL AS TO FORM AND LEGALITY  
                               OTHER:

Requestor's signature  Tasha Kama, Chair	Contact Person <u>Paige Greco or Carla Nakata</u> (Telephone Extension: <u>7660 or 5519, respectively</u> )
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ROUTINE (WITHIN 15 WORKING DAYS)             RUSH (WITHIN 5 WORKING DAYS)  
 PRIORITY (WITHIN 10 WORKING DAYS)         URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): June 26, 2024  
REASON: For posting on July 5, 2024, Council meeting agenda, if unilateral agreements are timely received.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR:  APPROVED  DISAPPROVED  OTHER (SEE COMMENTS BELOW)  
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED  
COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

hlu:ltr:028acc02:cmn

Attachments

ORDINANCE NO. \_\_\_\_\_

BILL NO. 67, CD1 (2024)

A BILL FOR AN ORDINANCE TO CHANGE THE WAILUKU-KAHULUI COMMUNITY PLAN LAND USE DESIGNATION FROM HEAVY INDUSTRIAL TO BUSINESS/COMMERCIAL FOR 6.842 ACRES IN KAHULUI, MAUI, HAWAI‘I, IDENTIFIED AS TAX MAP KEYS (2) 3-7-002:020 (POR.) AND (2) 3-7-002:027 (QUEEN KA‘AHUMANU CENTER), AND TO AMEND THE TEXT OF THE WAILUKU-KAHULUI COMMUNITY PLAN (2002), AS AMENDED

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Under Chapter 2.80B, Maui County Code, a Community Plan Amendment from Heavy Industrial to Business/Commercial is granted for certain real property situated at Kahului, Maui, Hawai‘i, and identified for real property tax purposes as a portion of tax map key (2) 3-7-002:020, comprising 5.66 acres, and more particularly described in and attached as Exhibit “A,” and in Community Plan Map 542, attached as Exhibit “B.”

SECTION 2. Under Chapter 2.80B, Maui County Code, a Community Plan Amendment from Heavy Industrial to Business/Commercial is granted for certain real property situated at Kahului, Maui, Hawai‘i, and identified for real property tax purposes as tax map key (2) 3-7-002:027, comprising 1.182 acres, and more particularly described in and attached as Exhibit “C,” and in Community Plan Map 543, attached as Exhibit “D.”

SECTION 3. Under Chapter 2.80B, Maui County Code, Part III.D.1 of the Wailuku-Kahului Community Plan (2002), adopted by Ordinance 3061, as amended, “POLICY RECOMMENDATIONS, IMPLEMENTING ACTIONS AND

STANDARDS FOR THE WAILUKU-KAHULUI REGION; Planning Standards; Land Use,” is amended by inserting the following entry after the end of c., to read as follows:

“d. Queen Ka‘ahumanu Center, at 275 West Ka‘ahumanu Avenue, has experienced economic distress caused by the historic shift from brick-and-mortar retail to online retail and evolving consumer preferences following the COVID-19 pandemic. As a result, the shopping center is at risk of divestment and blight.

The Queen Ka‘ahumanu Community Center Revitalization and Infill Project is 33.764 acres and encompasses the parking lots, commercial buildings, and ancillary areas that comprise Queen Ka‘ahumanu Center (tax map keys (2) 3-7-002:020, (2) 3-7-002:021, (2) 3-7-002:023, (2) 3-7-002:025, and (2) 3-7-002:027). The goal is to breathe new life into Queen Ka‘ahumanu Center by repurposing its expansive parking lots and underutilized commercial spaces with a more appropriate and vibrant, economically sustainable mix of residential, service, retail, office, and open- or green-space.

The project area will be revitalized with a mix of uses that complement and provide demand for retail areas while also providing the community with nearby amenities to serve them and their families. The project will stimulate Kahului’s urban core and make better use of expansive surface parking lots to include more uses, such as smaller retail spaces, recreational green spaces, plazas and pedestrian-friendly spaces, services, housing, and similar accessory uses.

An emphasis will be placed on the development of multi-family housing to address Maui’s acute shortage of housing inventory, including affordable, workforce, and special needs housing. The County should explore a public-partnership agreement that offers incentives, such as financial participation, expedited project review, infrastructure and public-facility support, and flexible height and parking standards. In exchange, the owner would agree to provide additional deed-restricted affordable and workforce housing for Maui residents beyond what is required by existing law.

The project’s architectural design will incorporate best practices for environmental sustainability, respect Maui’s unique culture and sense of place, and pay homage to the legacy of Queen Ka‘ahumanu. Future planning should create spaces that are human in scale, reduce dependence on the automobile, and strengthen the region’s identity. The project should maintain

compatible scale relationships between the existing low-scale character of the area, adjacent public uses, and higher buildings. Higher building forms up to nine stories, with a maximum height of 90 feet, should be sited in the central portion of the block.

Building heights along the perimeter should provide a transition in scale to adjacent public and quasi-public uses. Commercial uses along the perimeter of street frontages should be lower-rise and provide sufficient setbacks to allow landscaped buffers. The project should mitigate its impacts to mauka and makai viewsheds and, where feasible, incorporate these scenic resources into the project design. Native trees, greenery, and color landscaping will be used to soften the built environment, provide a sense of scale and contrast, reduce heat, and provide color and shade. The project area's existing large canopy trees should be preserved. Preference should be given to the use of appropriate native trees, shrubs, and grasses.

The project will collaborate with the County and surrounding property owners to implement the Ka'ahumanu Avenue Community Corridor Action Plan and create safer connections and access to the harbor, Ho'aloa Park, transit, and nearby public and civic spaces. For instance, the project should connect with the Hawai'i Housing Finance and Development Corporation's proposed development next to the Central Maui Transit Hub and allow for a more contiguous corridor that defines the pedestrian experience and improves public spaces."

SECTION 4. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 5. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

hlu:misc:028acpabill02:cmn

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

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ALICE L. LEE

Upon the request of the Mayor.

# Exhibit "A"

## DESCRIPTION

### PORTION OF LOT A MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being a portion of Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Northwest corner of this lot on the Southerly side of Kaahumanu Avenue [F.A.P. No. F-032-1 (3)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,350.49 feet North

7,431.10 feet East

and running by azimuths measured clockwise from True South:

1. 340° 17' 30" 273.01 feet along Lot F-2 and Lot F-1 of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.2200), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. 70° 17' 30" 620.93 feet along Lot F-1 of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.2200), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
3. 340° 17' 30" 38.69 feet along same;
4. 70° 17' 30" 158.40 feet along same;
5. 352° 30' 170.22 feet along same;
6. Thence along same on a curve to the right with a radius of 188.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 262° 30',  
the radial azimuth from the radius point to the end of the curve being: 272° 42' 44",  
and the chord azimuth and distance being:  
357° 36' 22" 33.46 feet;
7. 301° 00' 60.92 feet along same;

8. Thence along same on a curve to the left with a radius of 1,330.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 31° 00',  
the radial azimuth from the radius point to the end of the curve being: 23° 20' 40",  
and the chord azimuth and distance being:  
297° 10' 40"                      177.58 feet;
9.     203° 20'    40"                      5.00 feet along same;
10. Thence along same on a curve to the left with a radius of 1,325.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 23° 20' 40",  
the radial azimuth from the radius point to the end of the curve being: 22° 54' 40",  
and the chord azimuth and distance being:  
293° 07' 20"                      10.02 feet;
11.     22° 54'    40"                      5.00 feet along same;
12. Thence along same on a curve to the right with a radius of 1,330.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 199° 30',  
the radial azimuth from the radius point to the end of the curve being: 202° 54' 40",  
and the chord azimuth and distance being:  
291° 12' 20"                      79.17 feet;
13.     19° 30'                              16.00 feet along same;
14.     289° 30'                             19.93 feet along same;
15.     70° 17'    30"                      85.59 feet along same;
16. Thence along the Northeasterly side of South Wakea Avenue to a "T" Northeasterly of the end of Onehee Avenue on a curve to the right with a radius of 1,392.40 feet, the radial azimuth from the radius point to the beginning of the curve being: 16° 29' 36",  
the radial azimuth from the radius point to the end of the curve being: 31° 04' 37",  
and the chord azimuth and distance being:  
113° 47' 06.5"                      353.45 feet;

17. Thence along Lot G of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels on a curve to the left with a radius of 44.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 2° 12' 06", the radial azimuth from the radius point to the end of the curve being: 286° 50', and the chord azimuth and distance being: 234° 31' 03" 53.80 feet;
18. Thence along same on a curve to the left with a radius of 235.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 286° 50', the radial azimuth from the radius point to the end of the curve being: 262° 30', and the chord azimuth and distance being: 184° 40' 99.06 feet;
19. 172° 30' 164.27 feet along same;
20. 80° 10' 47.05 feet along same;
21. 155° 00' 111.20 feet along same;
22. 158° 00' 180.00 feet along same;
23. 248° 00' 52.98 feet along same;
24. 253° 01' 10" 819.20 feet along the remainder of A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels to the point of beginning and containing a gross area of 6.842 Acres excluding Lot D of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993) of 1.182 Acres described as follows for a net area of 5.660 Acres.

Being all of Lot D of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.



Beginning at the Southeast corner of this lot with an azimuth and distance tie from the Southerly corner of Lot A being:  $113^{\circ} 17' 80.67$  feet with coordinates 2,093.47 N. and 7,523.17 E., the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,125.36 feet North

7,449.07 feet East

and running by azimuths measured clockwise from True South:

1.  $70^{\circ} 17' 30''$  336.00 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:  
 $115^{\circ} 17' 30''$  7.07 feet;
3.  $160^{\circ} 17' 30''$  42.00 feet along same;
4. Thence along same on a curve to the right with a radius of 2.00 feet, the chord azimuth and distance being:  
 $205^{\circ} 17' 30''$  2.83 feet;
5.  $250^{\circ} 17' 30''$  28.00 feet along same;
6. Thence along same on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:  
 $205^{\circ} 17' 30''$  56.57 feet;
7.  $160^{\circ} 17' 30''$  65.87 feet along same;
8. Thence along same on a curve to the right with a radius of 40.00 feet, the radial azimuth from the radius point to the beginning of the curve being:  $70^{\circ} 17' 26''$ ,  
the radial azimuth from the radius point to the end of the curve being:  $97^{\circ} 14' 56''$ ,  
and the chord azimuth and distance being:  
 $173^{\circ} 46' 13''$  18.65 feet;
9.  $250^{\circ} 17' 30''$  271.65 feet along same;
10.  $340^{\circ} 17' 30''$  168.00 feet along same;
11. Thence along same on a curve to the left with a radius of 5.00 feet, the chord azimuth and distance being:  
 $25^{\circ} 17' 30''$  7.07 feet to the point of beginning and containing an area of 1.182 Acres.

Note: The metes and bounds description is prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

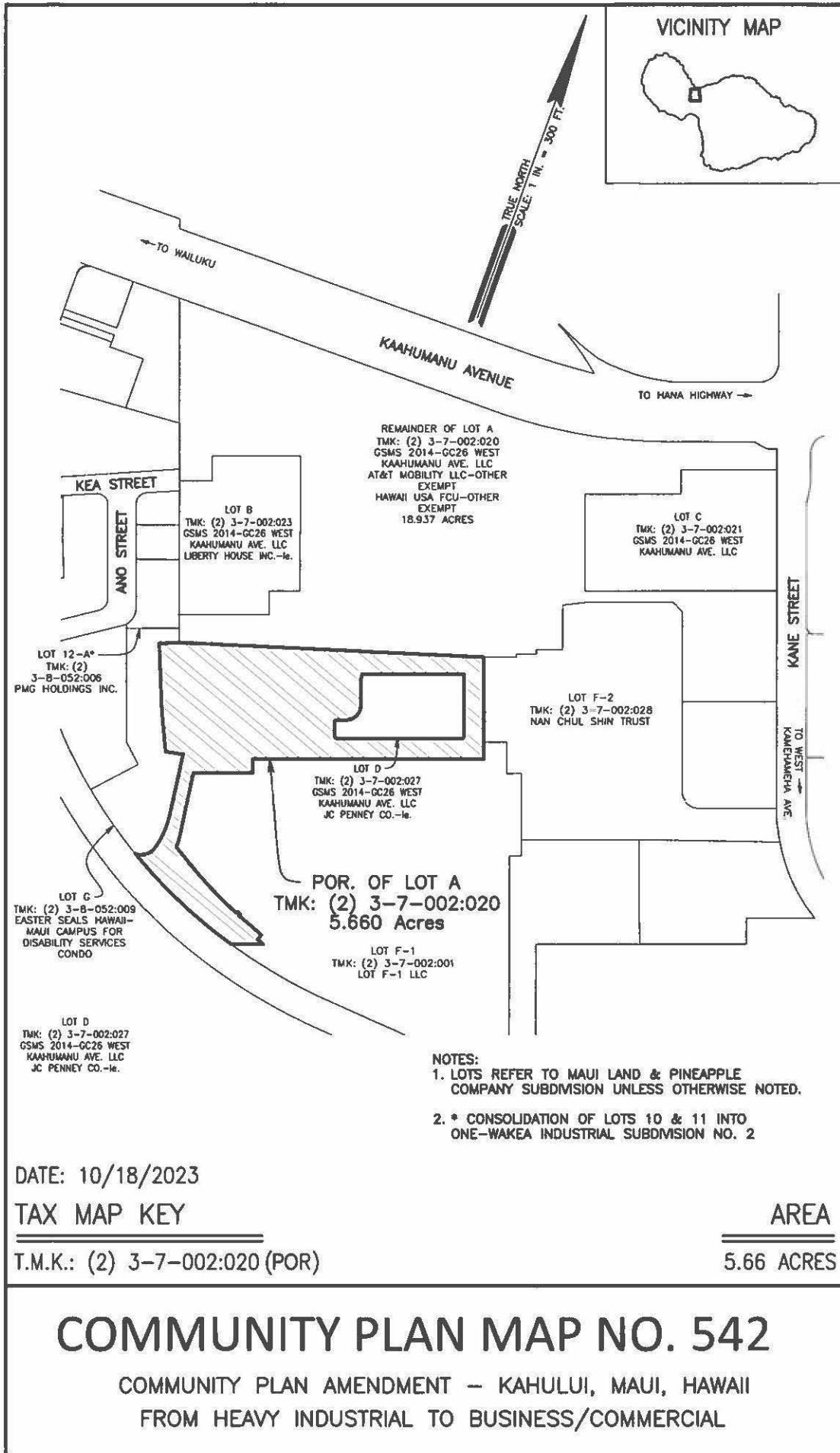
A handwritten signature in cursive script that reads "Sharon Y. Toyama".

Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
October 18, 2023

GSMS01

Exhibit "B"



# COMMUNITY PLAN MAP NO. 542

COMMUNITY PLAN AMENDMENT – KAHULUI, MAUI, HAWAII  
FROM HEAVY INDUSTRIAL TO BUSINESS/COMMERCIAL

# Exhibit "C"

## DESCRIPTION

### LOT D

#### MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being all of Lot D of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Southeast corner of this lot with an azimuth and distance tie from the Southerly corner of Lot A being:  $113^{\circ} 17' 80.67$  feet with coordinates 2,093.47 N. and 7,523.17 E., the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,125.36 feet North

7,449.07 feet East

and running by azimuths measured clockwise from True South:

1.  $70^{\circ} 17' 30''$  336.00 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:  
 $115^{\circ} 17' 30''$  7.07 feet;
3.  $160^{\circ} 17' 30''$  42.00 feet along same;
4. Thence along same on a curve to the right with a radius of 2.00 feet, the chord azimuth and distance being:  
 $205^{\circ} 17' 30''$  2.83 feet;
5.  $250^{\circ} 17' 30''$  28.00 feet along same;
6. Thence along same on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:  
 $205^{\circ} 17' 30''$  56.57 feet;
7.  $160^{\circ} 17' 30''$  65.87 feet along same;

8. Thence along same on a curve to the right with a radius of 40.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 70° 17' 26",  
the radial azimuth from the radius point to the end of the curve being: 97° 14' 56",  
and the chord azimuth and distance being:  
173° 46' 13"            18.65 feet;
9.    250° 17' 30"            271.65 feet along same;+
10. 240° 17' 30"            168.00 feet along same;
11. Thence along same on a curve to the left with a radius of 5.00 feet, the chord azimuth and distance being:  
25° 17' 30"            7.07 feet to the point of beginning and containing an area of 1.182 Acres.

Note: The metes and bounds description is prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

*Sharon Y. Toyama*

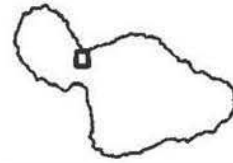
Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
October 18, 2023

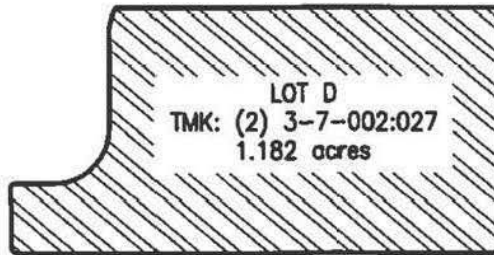
GSMS01

Exhibit "D"

VICINITY MAP



LOT A  
TMK: (2) 3-7-002:020  
GSMS 2014-GC26 WEST KAAHUMANU AVE. LLC  
AT&T MOBILITY LLC-OTHER EXEMPT  
HAWAII USA FCU-OTHER EXEMPT



LOT F-2  
TMK: (2) 3-7-002:028  
NAN CHUL SHIN TRUST

LOT F-1  
TMK: (2) 3-7-002:001  
LOT F-1 LLC

NOTE: LOTS REFER TO MAUI LAND &  
PINEAPPLE COMPANY SUBDMISION.

DATE: 10/18/2023

TAX MAP KEY

T.M.K.: (2) 3-7-002:027

AREA

1.182 ACRES

# COMMUNITY PLAN MAP NO. 543

COMMUNITY PLAN AMENDMENT - KAHULUI, MAUI, H.  
FROM HEAVY INDUSTRIAL TO BUSINESS/COMMERCIAL

ORDINANCE NO. \_\_\_\_\_

BILL NO. 68, CD1 (2024)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM M-2 HEAVY INDUSTRIAL DISTRICT TO B-3 CENTRAL BUSINESS DISTRICT (CONDITIONAL ZONING) FOR 33.764 ACRES IN KAHULUI, MAUI, HAWAI'I, IDENTIFIED AS TAX MAP KEYS (2) 3-7-002:020, (2) 3-7-002:021, (2) 3-7-002:023, (2) 3-7-002:025, AND (2) 3-7-002:027 (QUEEN KA'AHUMANU CENTER)

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Under Chapters 19.20 and 19.510, Maui County Code, a change in zoning from M-2 Heavy Industrial District to B-3 Central Business District (conditional zoning) is granted for certain portions of real property situated in Kahului, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-7-002:020, comprising 24.597 acres, and more particularly described in and attached as Exhibit "A," and in Land Zoning Map L-112, attached as Exhibit "B."

SECTION 2. Under Chapters 19.20 and 19.510, Maui County Code, a change in zoning from M-2 Heavy Industrial District to B-3 Central Business District (conditional zoning) is granted for certain portions of real property situated in Kahului, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-7-002:023, comprising 2.915 acres, and more particularly described in and attached as Exhibit "C," and in Land Zoning Map L-113, attached as Exhibit "D."

SECTION 3. Under Chapters 19.20 and 19.510, Maui County Code, a change in zoning from M-2 Heavy Industrial District to B-3 Central Business District (conditional zoning) is granted for certain portions of real property situated in Kahului, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-7-002:021, comprising 3.438 acres, and more particularly described in and attached as Exhibit "E," and in Land Zoning Map L-114, attached as Exhibit "F."

SECTION 4. Under Chapters 19.20 and 19.510, Maui County Code, a change in zoning from M-2 Heavy Industrial District to B-3 Central Business District (conditional zoning) is granted for certain portions of real property situated in Kahului, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-7-002:027, comprising 1.182 acres, and more particularly described in and attached as Exhibit "G," and in Land Zoning Map L-115, attached as Exhibit "H."

SECTION 5. Under Chapters 19.20 and 19.510, Maui County Code, a change in zoning from M-2 Heavy Industrial District to B-3 Central Business District (conditional zoning) is granted for certain portions of real property situated in Kahului, Maui, Hawai'i, identified for real property tax purposes as tax map key (2) 3-7-002:025, comprising 1.632 acres, and more particularly described in and attached as Exhibit "I," and in Land Zoning Map L-116, attached as Exhibit "J."

SECTION 6. All of the conditional zoning grants outlined are subject to the conditions established in Exhibit "K."



SECTION 7. In accordance with Section 19.510.050, Maui County Code, the zoning granted by this Ordinance is subject to the Unilateral Agreement and Declaration for Conditional Zoning in Exhibit “L.”

SECTION 8. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

hlu:misc:028acizbill02:cmn

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Alice L. Lee", written in a cursive style. The signature is positioned above a horizontal line.

ALICE L. LEE

Upon the request of the Mayor.

# Exhibit "A"

## DESCRIPTION

### LOT A

#### MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being all of Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also portions of Royal Patent 4475, Land Commission Award 7713, Apana 23 to V. Kamamalu and Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Northwest corner of this lot on the Southerly side of Kaahumanu Avenue [F.A.P. No. F-032-1 (3)], the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,982.53 feet North

6,336.25 feet East

and running by azimuths measured clockwise from True South:

1. 270° 00' 15" 571.89 feet along the Southerly side of Kaahumanu Avenue [F.A.P. No. F-032-1 (3)], being also the remainder of Royal Patent 4475, Land Commission Award 7713, Apana 23 to V. Kamamalu;
2. 270° 00' 15" 80.00 feet along the same;
3. 270° 00' 15" 247.47 feet along the same;
4. Thence along the Southerly side of Kaahumanu Avenue [F.A.P. No. F-032-1 (3)], being also the remainders of Royal Patent 4475, Land Commission Award 7713, Apana 23 to V. Kamamalu and Royal Patent Grant 3343 to Claus Spreckels on a curve to the left with a radius of 1,420.24 feet, the chord azimuth and distance being:  
260° 09' 27.5" 485.75 feet;
5. 250° 18' 40" 213.35 feet along the Southerly side of Kaahumanu Avenue [F.A.P. No. F-032-1 (3)], being also the remainder Royal Patent Grant 3343 to Claus Spreckels;
6. 278° 36' 30" 39.22 feet along same;
7. 250° 21' 26.69 feet along same;

- |     |      |     |     |  |
|-----|------|-----|-----|--|
| 8.  | 340° | 21' |     | 56.90 feet along the Westerly side of Kane Street, being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;   |
| 9.  | 70°  | 17' | 30" | 256.48 feet along Lot C of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels; |
| 10. | 340° | 17' | 30" | 64.62 feet along same;   |
| 11. | 70°  | 17' | 30" | 256.00 feet along same;  |
| 12. | 340° | 17' | 30" | 8.45 feet along same;  |
| 13. | 70°  | 17' | 30" | 1.10 feet along same;  |
| 14. | 340° | 17' | 30" | 3.00 feet along same;  |
| 15. | 250° | 17' | 30" | 0.75 feet along same;  |
| 16. | 340° | 17' | 30" | 248.38 feet along same;  |
| 17. | 250° | 17' | 30" | 512.50 feet along same;  |
| 18. | 340° | 21' |     | 298.28 feet along the Westerly side of Kane Street, being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;  |
| 19. | 70°  | 17' | 30" | 251.69 feet along Lot E of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels; |
| 20. | 160° | 17' | 30" | 243.02 feet along Lot F-2 of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.2200), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;                    |
| 21. | 115° | 17' | 30" | 35.35 feet along same;   |
| 22. | 70°  | 17' | 30" | 231.13 feet along same;  |
| 23. | 63°  | 30' |     | 63.52 feet along same;   |
| 24. | 340° | 17' | 30" | 119.64 feet along same;  |
| 25. | 70°  | 17' | 30" | 70.68 feet along same;   |

26. 340° 17' 30" 12.01 feet along same;
27. 70° 17' 30" 53.62 feet along same;
28. 340° 17' 30" 8.17 feet along same;
29. 70° 17' 30" 86.33 feet along same;
30. 340° 17' 30" 273.01 feet along Lot F-2 and Lot F-1 of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.2200), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
31. 70° 17' 30" 620.93 feet along Lot F-1 of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.2200), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
32. 340° 17' 30" 38.69 feet along same;
33. 70° 17' 30" 158.40 feet along same;
34. 352° 30' 170.22 feet along same;
35. Thence along same on a curve to the right with a radius of 188.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 262° 30',  
the radial azimuth from the radius point to the end of the curve being: 272° 42' 44",  
and the chord azimuth and distance being:  
357° 36' 22" 33.46 feet;
36. 301° 00' 60.92 feet along same;
37. Thence along same on a curve to the left with a radius of 1,330.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 31° 00',  
the radial azimuth from the radius point to the end of the curve being: 23° 20' 40",  
and the chord azimuth and distance being:  
297° 10' 20" 177.58 feet;
38. 203° 20' 40" 5.00 feet along same;

39. Thence along same on a curve to the left with a radius of 1,325.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 23° 20' 40",  
the radial azimuth from the radius point to the end of the curve being: 22° 54' 40",  
and the chord azimuth and distance being:  
293° 07' 40"                      10.02 feet;
40.     22° 54' 40"                      5.00 feet along same;
41. Thence along same on a curve to the right with a radius of 1,330.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 199° 30',  
the radial azimuth from the radius point to the end of the curve being: 202° 54' 40",  
and the chord azimuth and distance being:  
291° 12' 20"                      79.17 feet;
42.     19° 30'                              16.00 feet along same;
43.     289° 30'                              19.93 feet along same;
44.     70° 17' 30"                          85.59 feet along same;
45. Thence along the Northeasterly side of South Wakea Avenue to a "T" Northeasterly of the end of Onehee Avenue on a curve to the right with a radius of 1,392.40 feet, the radial azimuth from the radius point to the beginning of the curve being: 16° 29' 36",  
the radial azimuth from the radius point to the end of the curve being: 31° 04' 37",  
and the chord azimuth and distance being:  
113° 47' 06.5"                      353.45 feet;
46. Thence along Lot G of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels on a curve to the left with a radius of 44.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 2° 12' 06",  
the radial azimuth from the radius point to the end of the curve being: 286° 50',  
and the chord azimuth and distance being:  
234° 31' 03"                      53.80 feet;

47. Thence along same on a curve to the left with a radius of 235.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 286° 50', the radial azimuth from the radius point to the end of the curve being: 262° 30', and the chord azimuth and distance being: 184° 40' 99.06 feet;
48. 172° 30' 164.27 feet along same;
49. 80° 10' 47.05 feet along same;
50. 155° 00' 111.20 feet along same;
51. 158° 00' 180.00 feet along same;
52. 248° 00' 52.98 feet along same;
53. 160° 17' 30" 75.25 feet along Lot G of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993) and Consolidation of Lots 10 & 11 into One Lot (Subdivision File No. 3.506), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
54. 250° 17' 30" 240.28 feet along Lot B of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
55. 160° 17' 30" 63.14 feet along same;
56. 250° 17' 30" 83.62 feet along same;
57. 160° 17' 30" 157.46 feet along same;
58. 250° 17' 30" 1.50 feet along same;
59. 160° 17' 30" 205.00 feet along same;
60. 70° 17' 30" 237.59 feet along same;
61. 340° 17' 30" 67.02 feet along same;
62. 70° 17' 30" 87.62 feet along same;

63. 160° 21' 491.42 feet along the East End of Kea Street, Lot 13 of Wakea Avenue Industrial Subdivision No. 2 (Subdivision File No. 3.459-15 Lots Subdivision), and Lot 1 of Merchants Enterprises Subdivision (Subdivision File No. 3.1221), being also the remainders of Grant 1819 to Kahananui and Royal Patent 4475, Land Commission Award 7713, Apana 23 to V. Kamamalu to the point of beginning and containing a gross area of 25.779 Acres excluding Lot D of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993) with 1.182 Acres described as follows for a net area of 24.597 Acres.

Being all of Lot D of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Southeast corner of this lot with an azimuth and distance tie from the Southerly corner of Lot A being: 113° 17' 80.67 feet with coordinates 2,093.47 N. and 7,523.17 E., the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,125.36 feet North

7,449.07 feet East

and running by azimuths measured clockwise from True South:

1. 70° 17' 30" 336.00 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:  
115° 17' 30" 7.07 feet;
3. 160° 17' 30" 42.00 feet along same;
4. Thence along same on a curve to the right with a radius of 2.00 feet, the chord azimuth and distance being:  
205° 17' 30" 2.83 feet;
5. 250° 17' 30" 28.00 feet along same;
6. Thence along same on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:  
205° 17' 30" 56.57 feet;



7. 160° 17' 30" 65.87 feet along same;
8. Thence along same on a curve to the right with a radius of 40.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 70° 17' 26",  
the radial azimuth from the radius point to the end of the curve being: 97° 14' 56",  
and the chord azimuth and distance being:  
173° 46' 13" 18.65 feet;
9. 250° 17' 30" 271.65 feet along same;
10. 340° 17' 30" 168.00 feet along same;
11. Thence along same on a curve to the left with a radius of 5.00 feet, the chord azimuth and distance being:  
25° 17' 30" 7.07 feet to the point of beginning and containing an area of 1.182 Acres.

Note: The metes and bounds description is prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

Vehicular access will not be permitted into and from Kane Street, over and across Courses 1, 3, 4, 5, 6, 7, and 8 of the above described Lot A.

Vehicular access will not be permitted into and from Kane Street, over and across Course 2 of the above described Lot A.

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

*Sharon Y. Toyama*

Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
October 18, 2023

GSMS01

Maui Land & Pineapple Company Subdivision-Lot A

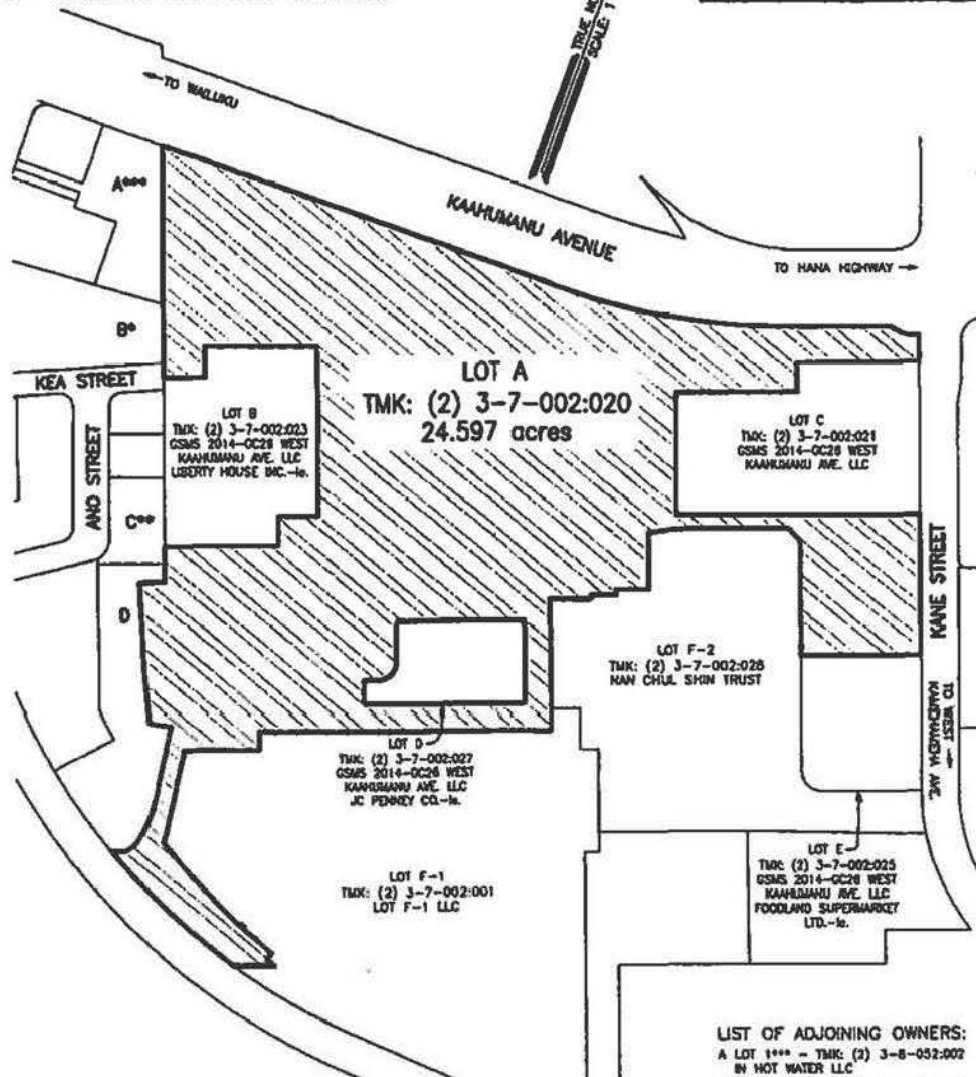
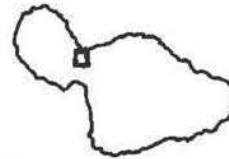
Page 7 of 7 Pages

Exhibit "B"

NOTES:

1. LOTS REFER TO MAUI LAND & PINEAPPLE COMPANY SUBDIVISION UNLESS OTHERWISE NOTED.
2. \* LOTS REFER TO WAKEA INDUSTRIAL SUBDIVISION NO. 2
3. \*\* CONSOLIDATION OF LOTS 10 & 11 INTO ONE-WAKEA INDUSTRIAL SUBDIVISION NO. 2
4. \*\*\* MERCHANTS ENTERPRISES SUBDIVISION

VICINITY MAP



- LIST OF ADJOINING OWNERS:
- A LOT 1\*\*\* - TMK: (2) 3-8-052:002 BY HOT WATER LLC
  - B LOT 13\* - TMK: (2) 3-8-052:005 ARS HOLDING LLC
  - C LOT 12-\*\* - TMK: (2) 3-8-052:008 PMG HOLDINGS INC.
  - D LOT G - TMK: (2) 3-8-052:009 EASTER SEALS MAHAR MAUI CAMPUS FOR DISABILITY SERVICES CONDO

DATE: 10/31/2023

TAX MAP KEY

T.M.K.: (2) 3-7-002:020

AREA

24.597 ACRES

LAND ZONING MAP NO. L-112

CHANGE IN ZONING - KAHULUI, MAUI, HAWAII  
 FROM M-2 HEAVY INDUSTRIAL DISTRICT  
 TO B-3 CENTRAL BUSINESS DISTRICT

# Exhibit "C"

## DESCRIPTION

### LOT B MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being all of Lot B of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Northwesterly corner of this lot on the Easterly side of the end of Kea Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,519.73 feet North

6,501.51 feet East

and running by azimuths measured clockwise from True South:

1. 250° 17' 30" 87.62 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. 160° 17' 30" 67.02 feet along same;
3. 250° 17' 30" 237.59 feet along same;
4. 340° 17' 30" 205.00 feet along same;
5. 70° 17' 30" 1.50 feet along same;
6. 340° 17' 30" 157.46 feet along same;
7. 70° 17' 30" 83.62 feet along same;
8. 340° 17' 30" 63.14 feet along same;
9. 70° 17' 30" 240.28 feet along same;
10. 160° 17' 30" 166.62 feet along Consolidation of Lots 10 & 11 into One Lot (Subdivision File No. 3.506), also being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;

11. 160° 21' 191.96 feet along Consolidation of Lots 10 & 11 into One Lot (Subdivision File No. 3.506), Lot 12-A and Lot 12-B of the Wakea Industrial Subdivision No. 2, Subdivision of Lot 12 into Lots 12-A and 12-B (Subdivision File No. 3.459), and the Northeasterly side of the end of Kea Street, being also the remainder of Royal Patent Grant 3343 to Claus Spreckels to the point of beginning and containing an area of 2.915 Acres.

Note: The metes and bounds description prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

*Sharon Y. Toyama*

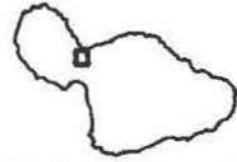
Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

1721 Wili Pa Loop, Suite 203  
Wailuku, Hawaii 96793  
October 18, 2023

GSMS01

Exhibit "D"

VICINITY MAP



LOT A  
TMK: (2) 3-7-002:020  
GSMS 2014-GC28 WEST KAAHUMANU AVE. LLC  
AT&T MOBILITY LLC-OTHER EXEMPT  
HAWAII USA FCU-OTHER EXEMPT

← TO S. WAKEA AVE.  
KEA STREET

LOT 12-B\*  
TMK: (2) 3-8-052:022  
PMG HOLDINGS INC.

LOT 12-A\*  
TMK: (2) 3-8-052:008  
PMG HOLDINGS INC.

AND STREET

LOT 12-A\*\*  
TMK: (2) 3-8-052:008  
PMG HOLDINGS INC.

LOT B  
TMK: (2) 3-7-002:023  
2.915 acres



- NOTES:
1. LOTS REFER TO MAUI LAND & PINEAPPLE COMPANY SUBDIVISION UNLESS OTHERWISE NOTED.
  2. \* LOTS REFER TO WAKEA INDUSTRIAL SUBDIVISION NO. 2
  3. \*\* CONSOLIDATION OF LOTS 10 & 11 INTO ONE-WAKEA INDUSTRIAL SUBDIVISION NO. 2

DATE: 10/31/2023

TAX MAP KEY

T.M.K.: (2) 3-7-002:023

AREA

2.915 ACRES

# LAND ZONING MAP NO. L-113

CHANGE IN ZONING - KAHULUI, MAUI, HAWAII  
FROM M-2 HEAVY INDUSTRIAL DISTRICT  
TO B-3 CENTRAL BUSINESS DISTRICT

# Exhibit "E"

## DESCRIPTION

### LOT C MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being all of Lot C of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Northeast corner of this lot on the Westerly side of the Kane Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

3,086.90 feet North

7,998.14 feet East

and running by azimuths measured clockwise from True South:

1. 340° 21' 324.45 feet along the Westerly side of Kane Street;
2. 70° 17' 30" 512.50 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
3. 160° 17' 30" 248.38 feet along same;
4. 70° 17' 30" 0.75 feet along same;
5. 160° 17' 30" 3.00 feet along same;
6. 250° 17' 30" 1.10 feet along same;
7. 160° 17' 30" 8.45 feet along same;
8. 250° 17' 30" 256.00 feet along same;
9. 160° 17' 30" 64.62 feet along same;
10. 250° 17' 30" 256.48 feet along same to the point of beginning and containing an area of 3.438 Acres.

Note: The metes and bounds description prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

*Sharon Y. Toyama*

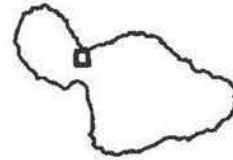
Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

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Wailuku, Hawaii 96793  
October 18, 2023

GSMS01

Exhibit "F"

VICINITY MAP



← TO WAILUKU

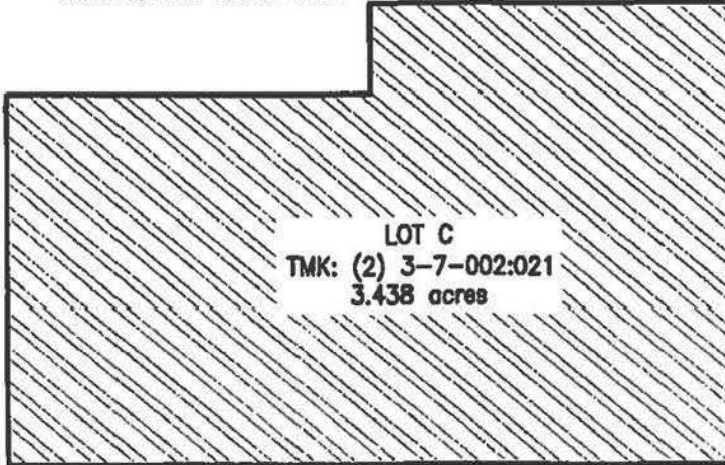
TO HANA HIGHWAY →

KAHUMANU AVENUE



TRUE NORTH  
SCALE: 1" = 100 FT

LOT A  
TMK: (2) 3-7-002:020  
GSMS 2014-GC28 WEST KAHUMANU AVE. LLC  
AT&T MOBILITY LLC-OTHER EXEMPT  
HAWAII USA FCU-OTHER EXEMPT



LOT C  
TMK: (2) 3-7-002:021  
3.438 acres

KANE STREET

LOT F-2  
TMK: (2) 3-7-002:028  
NAN CHUL SHIN TRUST

NOTE: LOTS REFER TO MAUI LAND & PINEAPPLE COMPANY SUBDIVISION.

DATE: 10/31/2023

TAX MAP KEY

T.M.K.: (2) 3-7-002:021

AREA

3.438 ACRES

# LAND ZONING MAP NO. L-114

CHANGE IN ZONING - KAHULUI, MAUI, HAWAII  
FROM M-2 HEAVY INDUSTRIAL DISTRICT  
TO B-3 CENTRAL BUSINESS DISTRICT



# Exhibit "G"

## DESCRIPTION

### LOT D

#### MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being all of Lot D of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Southeast corner of this lot with an azimuth and distance tie from the Southerly corner of Lot A being:  $113^{\circ} 17' 80.67$  feet with coordinates 2,093.47 N. and 7,523.17 E., the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,125.36 feet North

7,449.07 feet East

and running by azimuths measured clockwise from True South:

1.  $70^{\circ} 17' 30''$  336.00 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:  
 $115^{\circ} 17' 30''$  7.07 feet;
3.  $160^{\circ} 17' 30''$  42.00 feet along same;
4. Thence along same on a curve to the right with a radius of 2.00 feet, the chord azimuth and distance being:  
 $205^{\circ} 17' 30''$  2.83 feet;
5.  $250^{\circ} 17' 30''$  28.00 feet along same;
6. Thence along same on a curve to the left with a radius of 40.00 feet, the chord azimuth and distance being:  
 $205^{\circ} 17' 30''$  56.57 feet;
7.  $160^{\circ} 17' 30''$  65.87 feet along same;

8. Thence along same on a curve to the right with a radius of 40.00 feet, the radial azimuth from the radius point to the beginning of the curve being: 70° 17' 26",  
the radial azimuth from the radius point to the end of the curve being: 97° 14' 56",  
and the chord azimuth and distance being:  
173° 46' 13"            18.65 feet;
9.    250° 17' 30"            271.65 feet along same;+
10.   240° 17' 30"            168.00 feet along same;
11. Thence along same on a curve to the left with a radius of 5.00 feet, the chord azimuth and distance being:  
25° 17' 30"            7.07 feet to the point of beginning and containing an area of 1.182 Acres.

Note: The metes and bounds description is prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

*Sharon Y. Toyama*

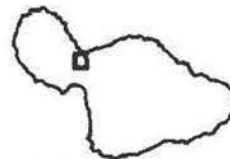
Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

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October 18, 2023

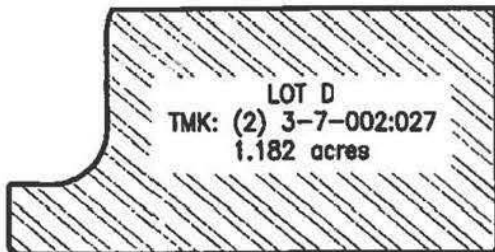
GSMS01

Exhibit "H"

VICINITY MAP



LOT A  
TMK: (2) 3-7-002:020  
GSMS 2014-GC28 WEST KAAHUMANU AVE. LLC  
AT&T MOBILITY LLC-OTHER EXEMPT  
HAWAII USA FCU-OTHER EXEMPT



LOT D  
TMK: (2) 3-7-002:027  
1.182 acres



LOT F-2  
TMK: (2) 3-7-002:028  
NAN CHUL SHIN TRUST

LOT F-1  
TMK: (2) 3-7-002:001  
LOT F-1 LLC

NOTE: LOTS REFER TO MAUI LAND &  
PINEAPPLE COMPANY SUBDIVISION.

DATE: 10/31/2023

TAX MAP KEY

T.M.K.: (2) 3-7-002:027

AREA

1.182 ACRES

LAND ZONING MAP NO. L-115

CHANGE IN ZONING - KAHULUI, MAUI, HAWAII  
FROM M-2 HEAVY INDUSTRIAL DISTRICT  
TO B-3 CENTRAL BUSINESS DISTRICT

# Exhibit "I"

## DESCRIPTION

### LOT E

#### MAUI LAND & PINEAPPLE COMPANY SUBDIVISION (SUBDIVISION FILE NO. 3.1577 AMENDED ON JUNE 3, 1993)

Being all of Lot E of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), and being also a portion of Royal Patent Grant 3343 to Claus Spreckels situated at Kahului, Island and County of Maui, State of Hawaii.

Beginning at the Southeast corner of this lot on the Westerly side of the Kane Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LUKE" being:

2,232.63 feet North

8,303.17 feet East

and running by azimuths measured clockwise from True South:

1. 270° 17' 30" 206.40 feet along Lot F-2 of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
2. Thence along same on a curve to the right with a radius of 45.00 feet, the chord azimuth and distance being:  
115° 17' 30" 63.64 feet;
3. 160° 17' 30" 239.36 feet along same;
4. 250° 17' 30" 251.69 feet along Lot A of the Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 amended June 3, 1993), being also the remainder of Royal Patent Grant 3343 to Claus Spreckels;
5. 340° 17' 30" 284.36 feet along the Westerly side of Kane Street to the point of beginning and containing an area of 1.632 Acres.

Note: The metes and bounds description prepared for changes in Zoning, Land Use District Boundary Amendment and Community Plan Amendment purposes only. It is based on final subdivision approved June 15, 1993 for Maui Land & Pineapple Company Subdivision (Subdivision File No. 3.1577 dated June 3, 1993).

This work was prepared by me  
or under my supervision.



FUKUMOTO ENGINEERING, INC.

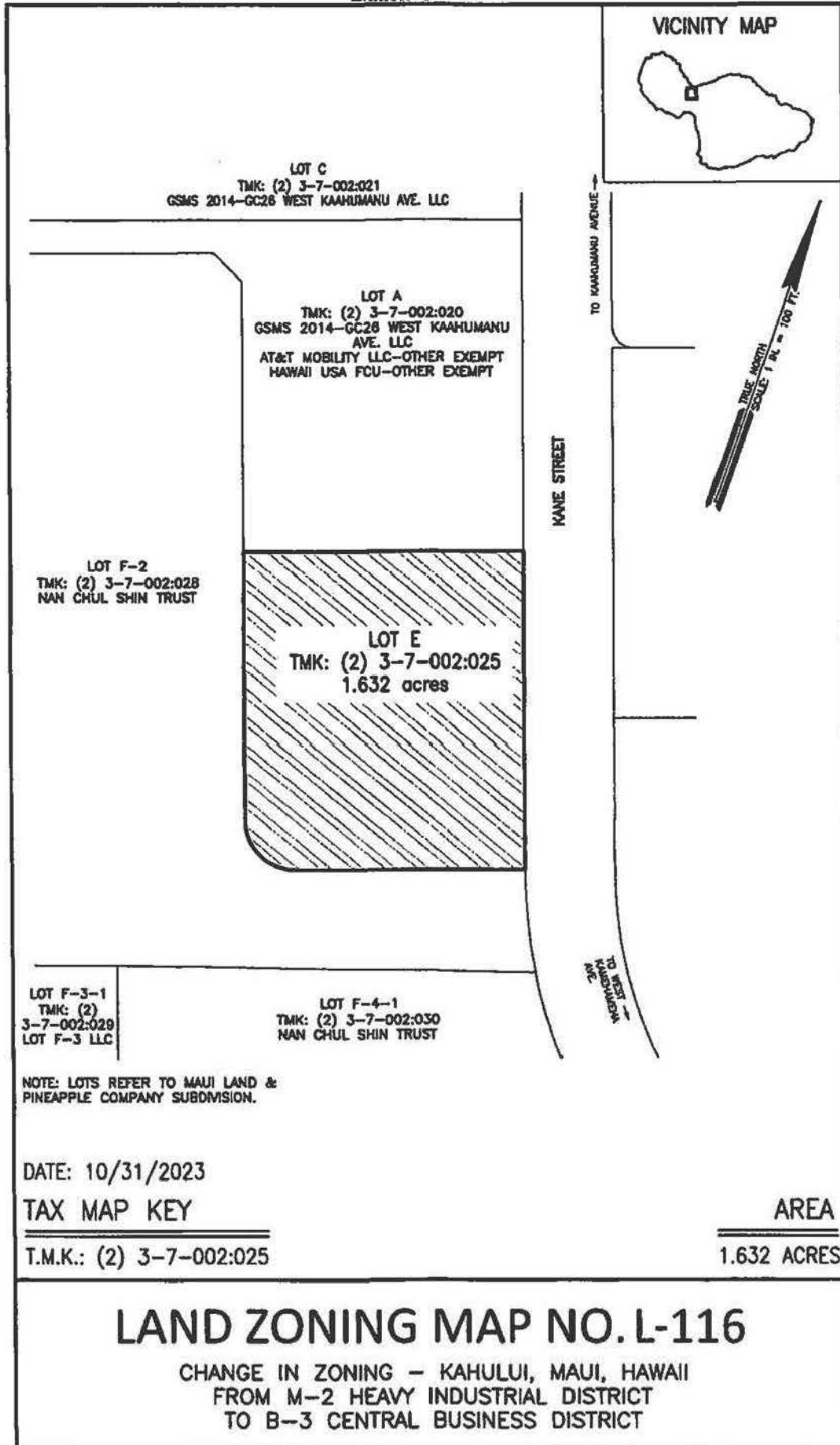
*Sharon Y. Toyama*

Sharon Y. Toyama  
Licensed Professional Land Surveyor  
Certificate Number 13713  
License Expires: 4/30/24

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Wailuku, Hawaii 96793  
October 18, 2023

GSMS01

Exhibit "J"



## Exhibit “K”

### CONDITIONS OF ZONING

“Developer” means any current or future developer or owner of any property that is subject to this Change in Zoning.

1. In the B-3 Central Business District-zoned areas, building heights must not exceed 90 feet.

2. In the B-3 Central Business District-zoned areas, a minimum of one off-street parking space must be provided for each multi-family dwelling unit with less than 1,500 square feet of floor area.

3. For any development that includes residential uses, the Developer must comply with the provisions of Chapter 2.96, Maui County Code, or any other law in effect at the time of application. If the County requests residential workforce housing units beyond the number required by law or restrictions on residential workforce housing units beyond the restrictions required by the Maui County Code, the Developer must negotiate in good faith with the County on a Memorandum of Agreement that would provide the needed support to make the requests financially viable. This support may include County incentives, subsidies, financial grants, expedited project review, infrastructure, flexible parking standards, and other means of support. Through the Memorandum of Agreement, the County may permit building forms in excess of six stories so long as the building heights do not exceed 90 feet. The Developer must provide a report to the Planning Director and the Council documenting the number of meetings, participants, the outcome of meetings, and any final agreements reached to achieve the County’s requests and other communications held between the Developer and the County.

4. Prior to obtaining a Special Management Area Major permit for any redevelopment within the project area that exceeds the height of the existing development, the Developer must:

- a. Prepare a visual-simulation study to assess the impacts of alternative building form, massing, and design options on viewsheds and view corridors to the ‘Iao Valley, the West Maui Mountains, and the Pacific Ocean.
- b. Host community meetings and design workshops to inform the public in preparation for any housing project’s master plan including proposed urban design and building form.
- c. Provide comments to the Planning Director obtained from the County's Urban Design Review Board on any future housing project’s master plan, preliminary site plan, and building elevations

## Exhibit "K"

prior to the Maui Planning Commission's action on the Special Management Area permit.

hlu:misc:028aconditions02:cmn



## HLU Committee

---

**From:** HLU Committee  
**Sent:** Thursday, June 6, 2024 4:58 PM  
**To:** CorpCounselRFLS@co.maui.hi.us  
**Cc:** HLU Committee; Tasha A. Kama; Carla M. Nakata; Paige Greco; Tammy Frias  
**Subject:** OCS - RLS: Bill 67 (2024) and Bill 68 (2024), revisions to the Community Plan Amendment for Queen Kaahumanu Center (HLU-28); response due 06/26/24 12:00 p.m.  
**Attachments:** Correspondence to Corporation Counsel 06-06-2024.pdf  
**Importance:** High

Aloha Corporation Counsel,

Please see attached Request for Legal Services from HLU Chair Kama, dated 06/06/24, regarding the above-referenced matter. Thank you.

Mahalo,  
HLU Committee Staff